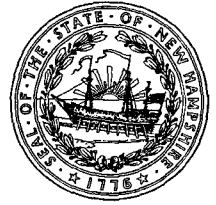


NHDES

**State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES**

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-2147 FAX (603) 271-6588



**LETTER OF DEFICIENCY
WET 05-048**

December 07, 2005

Richard E Shamp, Jr.
38 Hood Rd
PO Box 110
Brookline, NH 03033

RE: DES Wetlands File #2005-02266 38 Hood Rd, Brookline

Dear Mr. Shamp:

On November 10, 2005, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Brookline Tax Map B as Lot 29-4 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Wt 100-800.

During the inspection the following deficiencies were documented:

1. An area designated as Prime Wetland had been converted into a lawn.
2. A garage had been constructed within an area designated as Prime Wetland.

In response, you are requested to take the following actions:

1. Retain a Certified Wetland Scientist to delineate the wetland boundaries on your property and the Prime Wetland boundary.
2. **Within 30 days of receipt of this letter**, submit to DES for review and approval a restoration plan stamped by a Certified Wetland Scientist to completely restore any altered wetland or area designated as Prime Wetland to its original condition. The restoration plan shall include delineated wetland boundaries, existing and proposed topography, proposed siltation and erosion controls, a list of appropriate native vegetation to be planted, and a specific planting schedule.
3. Implement the restoration plan only after receiving written approval and as conditioned by DES.
4. **Within 30 days of receipt of this letter**, submit a Standard Dredge and Fill Application to retain any approvable impacts adjacent to the Prime Wetland.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.


Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Dawn Buker, Compliance Specialist
Wetlands Bureau
Department of Environmental Services
29 Hazen Drive
PO Box 95
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact me at (603) 271-4066.

Sincerely,


Colin G. Adams, CWS
Administrator
Wetlands Bureau

CERTIFIED MAIL 7004 2510 0003 1195 8220

cc: Rene Pelletier, Manager, Land Resources Management Program
Gretchen R. Hamel, Administrator, DES Legal Unit ✓
Brookline Conservation Commission
Brookline Board of Selectmen
USACOE